

Message Text

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63

ACTION EUR-25

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E.O. 11652: N/A

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SUBJECT: REQUESTS OF D'ONOFRIO AND ALLEN FOR RECORDS FROM BANK
HOFMANN

REF: A-6169

1. AFTER DISCUSSING THIS CASE WITH AN OFFICIAL OF THE
POLICE DIVISION OF THE FEDERAL DEPT OF JUSTICE AND
POLICE (FDJP) AND WITH LATTER'S CONCURRENCE, AN EMBOFF
TELEPHONED DR. R. MOTSCHMANN, MANAGER OF BANK HOFMANN,
TO ASK IF BANK HOFMANN WOULD SUPPLY COPIES OF BANK
RECORDS TO ITS CLIENTS D'ONOFRIO AND ALLEN. DR.
MOTSCHMANN STATED THAT BANK HOFMANN ALWAYS WILLING TO
SUPPLY INFORMATION CONCERNING THEIR ACCOUNTS TO ITS
CUSTOMERS UPON REQUEST BY THE CUSTOMOER. HE SAID, HOWEVER,
THAT CLIENTS MUST PAY FOR COST OF RETRIEVING AND
REPRODUCING RECORDS.

2. IN VIEW OF "BAD EXPERIENCES", DR.
MOTSCHMANN SAID BANK HOFMANN HAD HAD WITH D'ONOFRIO
AND ALLEN, DR. MOTSCHMANN SAID THEY WOULD HAVE TO PAY
COSTS IN ADVANCE. DR MOTSCHMANN SAID REPRODUCING
COPIES OF DOCUMENTS IN D'ONOFRIO'S ACCOUNT WOULD COST
ABOUT SFR. 23,000 (200 HOURS OF BANK OFFICER'S TIME
AT SFR. 100/HOUR AND 2000 DOCUMENTS TO BE COPIED AT
SFR. 1.00 PER COPY). MOTSCHMANN SAID D'ONOFRIO ALSO
OWED BANK HOFMANN SFR. 7,600 WHICH WOULD HAVE TO
BE PAID BEFORE BANK WOULD SUPPLY DOCUMENTS. TOTAL AMOUNT,
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THEREFORE, FOR D'ONOFRIO WOULD BE ABOUT SFR. 30,000

(APPROX. DOLS 10,000). MOTSCHMANN SAID INFO ABOUT COSTS GIVEN TO D'ONOFRIO'S ZURICH LAWYER, DR. PETER WIDMER, "ABOUT TWO WEEKS AGO".

3. MOTSCHMANN WAS UNABLE ESTIMATE COSTS OF PRODUCING A COPY OF ALLEN'S ACCOUNT BUT SAID UNIT COSTS WOULD BE THE SAME. MOTSCHMANN SAID BANK HOFMANN WOULD REFUND UNUSED PORTIONS OF ADVANCE PAYMENT. MOTSCHMANN ALSO INFORMED EMBOFF THAT ALLEN HAD OBTAINED COPIES OF DOCUMENTS IN HIS ACCOUNT AT AN UNSPECIFIED EARLIER DATE. MOTSCHMANN WONDERED WHY ALLEN NEEDED MORE. MOTSCHMANN ALSO DENIED THAT BANK HOFMANN HAD RECEIVED ANY REQUEST IN 1974 FROM ALLEN FOR COPIES OF HIS RECORDS. EMBOFF DISCUSSED THIS MATTER WITH KNOWLEDGABLE SWISS OFFICIAL WHO ACKNOWLEDGED THAT BANK HOFMANN IS PERMITTED TO CHARGE FEES FOR PREPARATION OF COPIES OF ACCOUNTS AND MAY ALSO REQUIRE A CLIENT TO PAY BANK ANY OUTSTANDING DEBTS BEFORE PREPARING COPIES OF ACCOUNT.

4. IN VIEW OF FOREGOING, EMBASSY SUGGESTS THAT NECESSARY ARRANGEMENTS FOR ADVANCE PAYMENT OF FEES AND FOLLOW-UP REQUESTS FOR DOCUMENTS BE HANDLED BY D'ONOFRIO'S AND ALLEN'S ATTORNEYS IN SWITZERLAND. IN INTERIM EMBASSY HAS TRANSMITTED TO BANK HOFMANN BY REGISTERED MAIL D'ONOFRIO'S AND ALLEN'S NOTARIZED REQUESTS FOR DOCUMENTS TOGETHER WITH COVERING LETTER CONFIRMING BANK'S AGREEMENT TO PROVIDE DOCUMENTS UPON RECEIPT OF PAYMENT FOR REPRODUCING FEES. EMBASSY HAS NOT, RPT NOT, DISCUSSED THIS MATTER WITH D'ONOFRIO'S AND ALLEN'S SWISS LAWYERS, WIDMER AND WYLER.

5. EMBOFF ALSO TALKED TO POLICE DIVISION OFFICIAL REGARDING POSSIBILITY OF IRA SORKIN TALKING TO POTENTIAL WITNESS ALBERT HERBERT. POLICE DIVISION OFFICIAL HAD NO OBJECTION TO EMBOFF TELEPHONING HERBERT'S LAWYER, DR. MARCH VASSELLA, TO ARRANGE MEETING BETWEEN HERBERT AND SORKIN OUTSIDE OF SWITZERLAND. VASSELLA, HOWEVER, ON LEAVE AND WILL ONLY RETURN TO OFFICE AUG. 16. EMBOFF WILL THEN CONTACT HIM TO ASK IF HERBERT WILLING TO MEET SORKIN. WE WILL ADVISE DEPT OF DEVELOPMENTS.

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